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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/538,679

11/08/2005

Gautam Dharamdas Goradia

KRISHNA.GORADIA.PT3

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INTELLECTUAL PROPERTY LAW GROUP LLP
12 SOUTH FIRST STREET
SUITE 1205
SAN JOSE, CA 95113

EXAMINER

SETO, JEFFREY K

ART UNIT

PAPER NUMBER

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/538,679	Applicant(s) GORADIA, GAUTAM DHARAMDAS	
	Examiner Jeffrey Seto	Art Unit 2446	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 November 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 16-34 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 16-34 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 November 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>11-08-2005</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 16-34 are pending.

Priority

2. Applicant's claim for the benefit of a prior-filed application is acknowledged. The effective filing date for this application is 5-14-2003.

Information Disclosure Statement

3. The information disclosure statement (IDS) submitted on 11-8-2005 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 16 & 22 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
5. Regarding claim 16, the phrase "to store data user wise" in line 4, causes the claim to be vague and indefinite. It is not clear if applicant wants the classifications of the database associated with the users, or if applicant merely wants user data (history,

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etc.) stored in user accounts, or profiles. For examination purposes, the latter interpretation is used.

6. Regarding claim 22, the phrase "like Date of Entry" in line 3, causes the claim to be vague and indefinite. It is not clear whether the examples that follow "like" are included in the claim, or not. For examination purposes, the examples following "like" have not been considered a requirement of the claim.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claims 16-18, 22, 29, 32 & 34 rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 6,343,990 issued to Rasmussen, et al. (Rasmussen).

8. Regarding claim 16, Rasmussen teaches a system for building and sharing a databank of jokes and/or such humor, in one or more languages, using a computer system, comprising: (a) a User Interface (See column 3, lines 42-44; wherein the browser is the user interface); (b) one or more well-classified databases to store data user wise including a User Database (See col. 3, lines 34-37; wherein the relational database is the well-classified database); (c) at least one well classified data input organizing and management module (See col. 3, lines 45-48 & 64-65; wherein the software executing on server 22 includes an organizing and management module); (d)

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modules for sharing, invoking, storing, and/or improving one's knowledge on jokes and/or such humor using the data from the databank, said data having been selected by a user by finding the same by none or one or more "FIND" conditions (See col. 3, line 67 to col. 4, line 9; wherein posting includes storing, searching includes FIND, and viewing includes sharing); and (e) a control system acting as a bridge between the User Interface and the databases (See col. 4, lines 10-19; wherein the control system in Rasmussen helps the user access the website).

9. Regarding claim 17, Rasmussen teaches the modules include a Laughter Session Module for invoking and storing a laughter session for continuous entertainment/enjoyment using the data from the databank (See col. 4, lines 52-65; wherein each visit to the website is the equivalent of a laughter session).

10. Regarding claim 18, Rasmussen teaches the modules include a Joke Scheduler Module for allowing one or more users to schedule the jokes and/or such humor, and said jokes or humor are brought up on the user's computer system at preset time intervals (See col. 8, lines 22-31; wherein scheduling to watch a game could also be used to schedule a joke playing session).

11. Regarding claim 22, Rasmussen teaches said data input organizing and management module allows the user to classify the data by well-defined classifications (See col. 5, lines 20-24).

12. Regarding claim 29, Rasmussen teaches the "FIND" conditions are defined by classifications, as well as by keywords, file attachments or bookmark remarks (See col. 5, lines 20-28).

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13. Regarding claim 32, Rasmussen teaches the modules include a Tools/Help Menu Options Module for allowing the user to select an option for customization including system maintenance and updating of a database (See col. 3, line 67 to col. 4, line 9; wherein editing user profile and credit card information provides maintenance and updating).

14. Regarding claim 34, Rasmussen teaches the modules and utilities are adapted to be operated within a browser and/or other viewing and/or processing programs and to operate on one or more computer systems including hand held devices (See col. 3, lines 42-44).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

15. Claims 19-21, 23-28, 30 & 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rasmussen, as applied to claim 16 above, in view of U.S. Patent No. 5,907,837 issued to Ferrel, et al. (Ferrel).

16. Regarding claim 19, Rasmussen teaches the invention as described in claim 1. Rasmussen does not teach the modules include an Export Module for allowing one or more users to export data from the databank. However, Ferrel teaches this limitation (See column 21, lines 6-8).

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Using the feature of Ferrel in the system of Rasmussen would have made it easier for users to download and share jokes with others. Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made, to combine the teachings of Ferrel and Rasmussen.

17. Regarding claims 20 & 21, Rasmussen teaches the invention as described in claim 1. Rasmussen does not teach the modules include an Import Module for allowing one or more users to import data built by other users, nor the Import Module further includes a utility for selectively importing the data. However, Ferrel teaches these limitations (See column 21, lines 6-8).

Using the feature of Ferrel in the system of Rasmussen would have made it easier for users to post jokes by not making the user retype the entire joke. Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made, to combine the teachings of Ferrel and Rasmussen.

18. Regarding claims 23 & 26, Rasmussen teaches the invention as described in claim 1. Rasmussen does not teach the modules include a Global Attachment Module for allowing the user to attach image, animation, or sound files to a plurality of records individually and globally, nor the modules include a Global Modification Module for allowing the user to modify a record individually and globally. However, Ferrel teaches these limitations (See col. 10, lines 34-49; wherein MS Word provides for attachment of files and for global modification).

Using the feature of Ferrel in the system of Rasmussen would have made modifying and customizing files easier and faster. Therefore, it would have been

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obvious to one of ordinary skill in the art, at the time the invention was made, to combine the teachings of Ferrel and Rasmussen.

19. Regarding claim 24, Rasmussen teaches the invention as described in claim 1. Rasmussen does not teach the modules include a Global Association Module for allowing one or more users to associate files, URLs, and/or remarks, to records. However, Ferrel teaches this limitation (See col. 17, lines 24-29).

Using the features of Ferrel in the system of Rasmussen would have allowed for greater file customization and better search-ability within the database. Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made, to combine the teachings of Ferrel and Rasmussen.

20. Regarding claim 25, Rasmussen teaches the invention as described in claim 1. Rasmussen does not teach the data input organizing and management module further includes a utility for copying of existing classification and previously entered data for new data input by the user for ease of data entry. However, Ferrel teaches this limitation (See col. 10, lines 34-49; wherein MS Word includes a copy utility).

Using the features of Ferrel in the system of Rasmussen would have made it easier and faster for customers to use the system. Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made, to combine the teachings of Ferrel and Rasmussen.

21. Regarding claim 27, Rasmussen teaches the invention as described in claim 1. Rasmussen does not teach the modules include a Global Delete Module for allowing

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the user to delete a record. However, Ferrel teaches this limitation (See col. 10, lines 34-49; wherein MS Word includes a delete utility).

Using the features of Ferrel in the system of Rasmussen would have provided users with the ability to remove postings when appropriate. Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made, to combine the teachings of Ferrel and Rasmussen.

22. Regarding claim 28, Rasmussen teaches the invention as described in claim 1. Rasmussen does not teach the modules include a Recycle Bin Module for allowing the user to restore or permanently remove a record. However, Ferrel teaches this limitation (See col. 10, lines 34-49; wherein MS Word includes a recycle utility).

Using the features of Ferrel in the system of Rasmussen would have provided users with flexibility regarding the ability to delete postings when appropriate. Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made, to combine the teachings of Ferrel and Rasmussen.

23. Regarding claim 30, Rasmussen teaches the invention as described in claim 1. Rasmussen does not teach the modules include a Bookmark/Unbookmark Module for allowing the user to bookmark or unbookmark records. However, Ferrel teaches this limitation (See col. 10, lines 34-49; wherein MS Word includes a bookmark utility).

Using the features of Ferrel in the system of Rasmussen would have given users the ability to mark postings that they later wanted to view or download. Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made, to combine the teachings of Ferrel and Rasmussen.

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24. Regarding claim 33, Rasmussen teaches the invention as described in claim 1. Rasmussen does not teach the modules include a Master Module for allowing the user to create and store masters for well defined classifications. However, Ferrel teaches this limitation (See col. 10, lines 34-49; wherein MS Word includes a macro utility that can be stored and re-used as needed).

Using the features of Ferrel in the system of Rasmussen would have allowed users to create and store general classes that could be re-used as needed, thereby saving time. Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made, to combine the teachings of Ferrel and Rasmussen.

25. Claim 31 is rejected under 35 U.S.C. 103(a) as being unpatentable over Rasmussen, as applied to claim 16 above, in view of U.S. Patent No. 5,884,247 issued to Christy.

26. Regarding claim 31, Rasmussen teaches the invention as described in claim 1. Rasmussen does not teach the modules include a Translation Module as well as a Global Translation Module for allowing translation of a record from one language into another. However, Christy teaches this limitation (See col. 1, line 61 to col. 2, line 4).

Using the features of Christy in the system of Rasmussen would have allowed users in foreign countries to translate the jokes into their own language, thereby broadening the appeal of the system. Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made, to combine the teachings of Christy and Rasmussen.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffrey Seto whose telephone number is (571)270-7198. The examiner can normally be reached on Monday thru Thursday and alt. Fridays, 9AM-6:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Pwu can be reached on (571) 273-6798. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JKS
11/7/2008

/Joseph E. Avellino/
Primary Examiner, Art Unit 2446